



Docket No.
85136-302 ADB

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

VACUUM APPARATUS

the specification of which

(check one)

is attached hereto.

was filed on March 26, 2004 as United States Application No. or PCT International Application Number 10/809,813

and was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application(s) | | | Priority | Not Claimed |
|------------------------------|---------------------|--|-------------------------------------|--------------------------|
| 2,461,993 (Number) | Canada (Country) | 23 - 03 - 2004 (Day/Month/Year Filed) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> | <input type="checkbox"/> |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

| | |
|--------------------------|---------------|
| (Application Serial No.) | (Filing Date) |
| | |
| (Application Serial No.) | (Filing Date) |
| | |
| (Application Serial No.) | (Filing Date) |

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| | | |
|--------------------------|-------------------|--|
| 10/301,855 | November 22, 2002 | pending |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| | | |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| | | |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

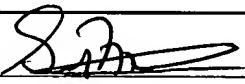
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

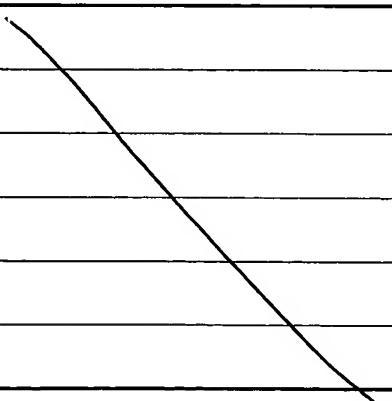
Adrian D. Battison
Michael R. Williams
Ryan W. Dupuis

Registration No: 31,726
Registration No: 45,333
Registration No: 47,345

Send Correspondence to: **Mr. Adrian D. Battison**
Ade & Company
1700-360 Main Street
Winnipeg, Manitoba, Canada R3C 3Z3

Direct Telephone Calls to: *(name and telephone number)*
Adrian D. Battison (204) 947-1429

| | |
|---|---|
| Full name of sole or first inventor Gordon E. Muth |  |
| Sole or first inventor's signature GORDON ERIC MUTH | Date MAY 15/2004 |
| Residence Sylvan Lake, Alberta, Canada | |
| Citizenship Canadian | |
| Post Office Address R.R. #1, Box 1031, Sylvan Lake, Alberta, Canada T4S 1X6 | |
| | |

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|--------------------------------------|--|
| Full name of second inventor, if any |  |
| Second inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |



EXAMINER:

GROUP: 1744

APPLICANT: Gordon Muth

SERIAL NO: 10/809,813

FILED: March 26, 2004

FOR: VACUUM APPARATUS

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 222313-1450
U.S.A.

Dear Sir:

Small Entity Statement under 37 CFR 1.27

Gordon Muth, whose full post office address is R.R.#1, Box 1031, Sylvan Lake, Alberta, Canada, T4S 1X6, as named inventor declares that he is qualified as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled above.

Respectfully submitted

GORDON MUTH

PER:

Adrian D. Battison
Registration No: 31,726

ADB/II

July 26, 2004

Adrian D. Battison

Winnipeg, Manitoba, Canada

Telephone (204) 947-1429 - FAX (204) 942-5723